

**MAINE COMMISSION ON
PUBLIC DEFENSE SERVICES**

February 23, 2026

**Commissioner's
Meeting Packet**

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

FEBRUARY 23, 2026 MEETING AGENDA

- 1) Approval of the January 22, 2026 Commission Meeting Minutes
- 2) Executive session pursuant to 1 MRS § 405(6)(E) to discuss pending or contemplated litigation
- 3) Report of the Executive Director
 - a. Operations report
 - b. Staffing update
 - c. Introduction to employed caseload and evaluation standards
- 4) Update from District Defenders
- 5) Budget/Legislative update
- 6) Rulemaking discussion / Chapter 302
- 7) Set Date, Time and Location of Next Regular Meeting of the Commission
- 8) Public Comment

**Maine Commission on Public Defense Services
Commissioners Meeting January 22, 2026**

Commissioners Present: Donald Alexander, Randall Bates, Anne Jordan, Roger Katz, Taylor Kilgore, Kimberly Monaghan, Kelly O'Connor, David Soucy, and Joshua Tardy.

PDS Staff Present: Frayla Tarpinian (Executive Director), Ellie Maciag (Deputy Executive Director), and Toby Jandreau (District Defender).

Agenda Item	Discussion/Outcome
Call to Order & Roll Call	Chair Joshua Tardy called the meeting to order at 3:07 p.m., noting the meeting was held in a hybrid format with participants at the Cross Office Building and on Zoom. Deputy Director Maciag called the roll and confirmed a quorum was present.
Approval of Minutes	The Commission reviewed the minutes for the December 17, 2025, and January 5, 2026, meetings. Commissioner Alexander moved for approval of both minutes. Chair Tardy seconded the motion. Discussion: Commissioner Jordan noted a correction for the January 5 minutes to list her as present at the top of the document. The motion to approve the minutes with this correction passed unanimously.
Public Hearing: Proposed Rule Chapter 302	Notice of this hearing was given as required. This hearing focused on Chapter 302, governing procedures for funds for experts and investigators. Executive Director Tarpinian explained the following: • The rule codifies existing procedures and clarifies definitions for applicants and attorneys. • The rule states that the client must be financially eligible for these types of funds, meaning, they are entitled to counsel at state expense and are represented by a PDS attorney or, if represented by retained counsel, a determination has been made that they are eligible for these funds. • Specifies the form and content of the application that is sent to the executive director. This is all information that needs to be provided to procurement. • The most significant change is a requirement that invoices be submitted within 10 calendar days from receiving a complete and

	accurate invoice from one of the service providers. This ensures that the service providers are paid promptly. No public testimony was offered in favor, in opposition, or neither for nor against. The hearing closed with February 6, 2026, deadline for written comments.
Executive Director's Operations Report	Operations Report: Executive Director Tarpinian reported: • The number of submitted vouchers are up 9.3%, while the average price per voucher is down about 8.9%. • The Commission is on pace to expend roughly 325,000 hours in fiscal year 2026, which is 20,000 more hours than the previous fiscal year. Executive Director Tarpinian hypothesized that attorneys are billing more frequently due to concerns about a looming budget shortfall. Additionally, as the court backlog of cases decreases, the funds needed to compensate for representation of those cases will be paid out and therefore an increase can be expected. • Executive Director Tarpinian noted that no funds are currently being spent on involuntary commitment cases. Also, the funds expended for the cases covered by PD offices are not included.
Staffing Updates	Staffing Updates: • Successes include filling two positions in Cumberland County office. PDS has welcomed Mackenzie Deveau and Darius Wadia. • Jess Mizzi was hired as parent defense counsel. • The Lewiston office hired for their paralegal position and is now fully staffed. • There is currently one opening in the Capital Region Office in Augusta due to Andrew Dawson being promoted to the District Defender position. • To manage salary savings and expand the applicant pool, two "AD1" attorney positions were reclassified to "AD2" positions, which require fewer years of experience. • Hoping to expand the Aroostook staff since the region is difficult to staff and has high need in terms of the number of cases. No questions or comments.

District Defender's Report	District Defender's Report District Defender Toby Jandreau reported that a written update has been provided to the Commission and he would be happy to take any questions or comments. Commissioner Alexander: Praised the defenders for decreasing the number of cases needing an attorney and providing mentoring to attorneys who are interested in doing this work. Commissioner O'Connor: Appreciated the details that were provided around discovery request issues. Additionally, it would be wonderful if "success stories" could be included in future reports to add a human element to the work that is being done. Commissioner Soucy: • How many jury trials are your attorneys doing in Aroostook County and how does that compare to other parts of the state? • What is the won/loss ratio? District Defender Jandreau highlighted the Aroostook office's success, noting they conducted eight jury trials last year (six acquittals, one split, one conviction). At the upcoming docket call on Monday, there will be five PDS attorneys with close to 20 cases at risk of trial in February. Currently, they are scheduled for five trials in February.
Legislative & Budget Update	Legislative & Budget Update: Executive Director Tarpinian: • The annual report was well received by the legislature on January 15. Specifically, they highlighted the positive nature of the report. Executive Director Tarpinian did highlight the budget shortfall within that report and directly to the legislature. • The bill to address the budget shortfall is LD 2059. There was compelling testimony to the committee on the ramifications of the budget shortfall and it was well received. • Executive Director Tarpinian expressed cautious optimism that the legislature understands the critical need to pay rostered attorneys through the fourth quarter. • LD 1101/§1807 Report: This report provided information on direct court appointments to non PDS eligible counsel. The report provided statistics on what the appointments have done.

	- As a result of the annual report and the LD 1101/§1807 reports, the committee voted to report out three bills out of committee to the revisor's office. Conversations about specific language in those bills are being had. Specifically: - The Judicial Branch would like the §1807 authority to continue until February 1, 2028. - Language about consent being required from assigned counsel before court appointment. - Change to §1802 definitions. Language was changed and enacted last session. But the bill was held up by the governor. - Additionally, the legislature enlarged the definition of "indigent legal services," which may provide authority for the Commission's prepetition programs and resource counsel. The prepetition program is currently in the early planning stages. Chair Tardy: Thanked Executive Director Tarpinian for her work at the legislature as well as Commissioner Alexander for his support. He is also cautiously optimistic about the shortfall being addressed. Commissioner Kilgore: Is the pre-petition project on hold or is it up and running? Executive Director Tarpinian: It is not up and running but it could be very shortly. Executive Director Tarpinian expressed that she feels comfortable moving forward unless there was an objection from the Commission. None raised.
Rulemaking Discussion: Chapter 303	The Commission discussed Chapter 303 regarding legal research materials. The rule moves PDS from a reimbursement model to a bulk-purchase model to leverage tax exemptions and volume discounts. Commissioner Alexander recused himself from the discussion and vote. Commissioner Katz: Motion to adopt the rule and accept the detailed basis statement. Chair Tardy: Seconded. Motion prevails. All in favor.

Public Comment	Benjamin Lees shared a success story regarding Attorney John Henderson's quick resolution of a serious case. Robert Ruffner praised Commissioner Bates for a recent case dismissal. He suggested that Defender Data notifications be modified so if the needed information is provided, they are reviewed quickly and the voucher doesn't go to the bottom of a pile. Attorney Ruffner also urged the Commission to discuss a "Plan B" for contractors to secure lines of credit if the budget shortfall isn't resolved. Luca Mellon noted that court clerks sometimes keep withdrawn attorneys as counsel of record, which may artificially lower the reported number of unrepresented clients. The clerks are treating the cases as not having an attorney and not scheduling court events, which is a concern.
Next Meeting & Adjournment	The next meeting is scheduled for February 23, 2026, at 3:00 p.m. Chair Tardy declared the meeting adjourned.

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

January 2026 Operations Report

- 2,202 new cases were opened in the defenderData system. This was a 32 case decrease from December. Year to date, new cases are down by 2% from last year, from 16,859 at this time last year to 16,500 this year.
- The number of vouchers submitted electronically was 4,961 an increase of 703 vouchers from December, totaling \$4,690,396, an increase of \$631,507 from December. Year to date, the number of submitted vouchers is up by 21% from 25,753 at this time last year to 31,166 this year, with the total amount for submitted vouchers up 7.8%, from \$27,205,230 at this time last year to \$29,334,249 this year.
- We paid 4,772 electronic vouchers totaling \$4,278,088 representing an increase of 217 vouchers and a decrease of \$192,103 compared to December. Year to date, the number of paid vouchers is up 21.3%, from 25,370 vouchers at this time last year to 30,782 this year, and the total amount paid is up 8.1%, from \$26,568,483 this time last year to \$28,732,576 this year.
- The average price per voucher was \$896.52, down \$84.86 per voucher from December. Year to date, the average price per voucher is down 10.8%, from \$1,047.24 at this time last year to \$933.42 this year.
- Child Protection and Drug Court had the highest average voucher total. There were 20 vouchers exceeding \$10,000 paid in January. See attached addendum for details.
- We issued 197 authorizations to expend funds: 88 for private investigators, 75 for experts, and 34 for miscellaneous services such as interpreters and transcriptionists. We paid \$304,879 for experts and investigators, etc. Two requests were denied.
- There were no attorney suspensions.
- In the All Other Account, the total expenses were \$4,978,275. Approximately \$397,401 was devoted to the Commission's operating expenses.
- In the Personal Services Accounts, we had \$779,733 in expenses.
- In the Revenue Account, the Judicial Branch transferred \$15,958 for counsel fee payments.
- As of February 12, 2026, there are 178 rostered attorneys of which 111 are available for trial court level work.
- For the first 7 months of this fiscal year, paid hours are up 6.5% over the same 7-month period last year. January 2026 paid hours are 10.8% higher than January 2025 paid hours.

Paid Hours													
	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	Yearly Total
FY22	27215	20122	23699	19917	20289	14422	15689	21060	30339	19984	19176	21343	253,255
FY23	19654	22596	21511	21151	20771	19576	23786	18811	22669	19232	27112	22334	259,203
FY24	21550	25799	21317	25400	19983	16857	31200	25274	23804	28726	24288	22486	286,684
FY25	24574	24296	20907	29382	26430	28126	24409	24710	23162	27051	26447	26588	306,081
FY26	30347	26144	29265	26275	21122	29574	27069						189,796

Vouchers over \$10,000 - January 2026

Comment	Voucher Total	Case Total
Homicide	\$49,335.00	\$49,335.00
Gross Sexual Assault	\$30,175.00	\$30,175.00
Burglary	\$24,743.19	\$94,060.34
Theft	\$19,635.00	\$24,120.00
Arson	\$16,297.54	\$16,297.54
Aggravated Trafficking	\$15,661.00	\$15,661.00
Aggravated Trafficking	\$14,545.12	\$14,545.12
Appeal	\$12,180.00	\$12,180.00
Burglary	\$12,049.51	\$12,049.51
Unlawful Sexual Contact	\$11,500.66	\$11,500.66
Child Protection	\$10,890.00	\$15,810.00
Aggravated Assault	\$10,650.00	\$10,650.00
Child Protection	\$10,620.00	\$18,420.00
Homicide	\$10,500.00	\$10,500.00
Domestic Violence Aggravated Assault	\$10,470.00	\$13,740.00
Child Protection	\$10,455.00	\$12,608.10
Child Protection	\$10,332.22	\$17,082.22
Child Protection	\$10,273.50	\$10,273.50
Child Protection	\$10,200.00	\$10,200.00
Child Protection	\$10,038.60	\$17,082.22

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

Activity Report by Case Type

1/31/2026

DefenderData Case Type	Jan-26						Fiscal Year 2026			
	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
Appeal	18	50	\$91,873.09	60	\$ 97,659.14	\$1,627.65	117	349	\$ 733,025.66	\$2,100.36
Central Office Resource Counsel	0	1	\$240.00	3	\$ 1,365.00	\$455.00	0	17	\$ 12,450.00	\$732.35
Child Protection Petition	115	688	\$862,373.14	665	\$ 832,255.23	\$1,251.51	1,014	4,652	\$ 5,593,753.41	\$1,202.44
Drug Court	7	16	\$49,162.16	18	\$ 40,297.58	\$2,238.75	40	123	\$ 250,602.58	\$2,037.42
Emancipation	4	13	\$15,302.15	11	\$ 8,834.85	\$803.17	36	64	\$ 41,053.28	\$641.46
Felony	629	1,717	\$1,968,645.20	1,570	\$ 1,608,162.97	\$1,024.31	4,255	9,847	\$ 10,637,178.74	\$1,080.25
Involuntary Civil Commitment	0	21	\$14,543.28	18	\$ 14,265.00	\$792.50	220	374	\$ 239,631.63	\$640.73
Juvenile	95	146	\$135,571.17	176	\$ 157,394.32	\$894.29	724	1,051	\$ 1,031,878.19	\$981.81
Lawyer of the Day - Custody	269	315	\$213,869.83	355	\$ 242,310.44	\$682.56	2,023	1,990	\$ 1,337,136.68	\$671.93
Lawyer of the Day - Juvenile	3	2	\$930.00	4	\$ 1,800.00	\$450.00	21	20	\$ 8,880.00	\$444.00
Lawyer of the Day - Walk-in	117	103	\$69,099.11	114	\$ 73,223.95	\$642.32	856	854	\$ 562,318.27	\$658.45
PDS Provided Training	14	17	\$14,137.08	21	\$ 41,246.43	\$1,964.12	468	489	\$ 671,222.61	\$1,372.64
Misdemeanor	777	1,549	\$1,018,449.23	1,468	\$ 937,762.96	\$638.80	5,480	8,623	\$ 5,844,606.06	\$677.79
Petition, Modified Release Treatment	1	4	\$2,527.28	1	\$ 1,290.00	\$1,290.00	6	27	\$ 30,933.26	\$1,145.68
Petition, Release or Discharge	0	0		0			0	5	\$ 24,795.21	\$4,959.04
Petition,Termination of Parental Rights	0	0		0			0	8	\$ 23,025.00	\$2,878.13
Post Conviction Review	4	18	\$27,410.80	22	\$ 27,334.30	\$1,242.47	22	208	\$ 254,194.83	\$1,222.09
Probate	0	2	\$1,845.00	1	\$ 885.00	\$885.00	4	19	\$ 17,159.44	\$903.13
Probation Violation	143	272	\$183,343.08	234	\$ 154,236.41	\$659.13	1,056	1,658	\$ 1,121,913.18	\$676.67
Represent Witness on 5th Amendment	3	1	\$1,155.00	3	\$ 2,730.00	\$910.00	13	10	\$ 5,771.54	\$577.15
Resource Counsel Criminal	1	4	\$1,815.00	5	\$ 6,315.00	\$1,263.00	4	34	\$ 28,774.78	\$846.32
Resource Counsel Juvenile	0	1	\$285.00	1	\$ 15.00	\$15.00	0	7	\$ 3,497.76	\$499.68
Resource Counsel Mental Health	0	0		0			0	2	\$ 285.00	\$142.50
Resource Counsel NCR	0	0		0			0	0		
Resource Counsel Protective Custody	0	1	\$555.00	1	\$ 870.00	\$870.00	0	10	\$ 11,835.00	\$1,183.50
Review of Child Protection Order	0	5	\$8,430.00	9	\$ 21,508.50	\$2,389.83	0	67	\$ 105,288.14	\$1,571.46
Revocation of Administrative Release	0	0		0			3	9	\$ 3,735.00	\$415.00
Weapons Restrictions Case	2	15	\$8,835.22	12	\$ 6,326.42	\$527.20	138	265	\$ 137,631.43	\$519.36
TOTAL	2,202	4,961	\$4,690,396.82	4,772	\$ 4,278,088.00	\$896.50	16,500	30,782	\$ 28,732,576.00	\$933.42

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

Activity Report by Court

1/31/2026

Court	Jan-26						Fiscal Year 2026			
	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
ALFSC	4	2	\$1,440.00	1	\$ 150.00	\$150.00	18	9	\$ 10,065.00	\$1,118.33
AUBSC	0	4	\$1,935.00	5	\$ 5,520.00	\$1,104.00	10	34	\$ 27,581.43	\$811.22
AUGDC	11	49	\$122,699.45	47	\$ 128,501.38	\$2,734.07	141	327	\$ 645,791.36	\$1,974.90
AUGSC	1	7	\$7,868.28	2	\$ 2,328.18	\$1,164.09	8	30	\$ 47,330.91	\$1,577.70
BANDC	31	90	\$73,767.45	95	\$ 71,574.00	\$753.41	301	682	\$ 670,113.03	\$982.57
BANSC	1	3	\$33,658.57	2	\$ 5,246.39	\$2,623.20	9	15	\$ 40,441.38	\$2,696.09
BATSC	0	1	\$150.00	1	\$ 150.00	\$150.00	1	2	\$ 1,365.00	\$682.50
BELDC	14	41	\$51,147.48	27	\$ 22,614.78	\$837.58	72	185	\$ 280,872.72	\$1,518.23
BELSC	0	0		0			0	0		
BIDDC	27	127	\$105,661.29	100	\$ 72,074.61	\$720.75	296	866	\$ 785,056.34	\$906.53
BRIDC	11	17	\$14,206.95	27	\$ 39,434.26	\$1,460.53	66	171	\$ 203,164.94	\$1,188.10
CALDC	4	10	\$10,219.60	6	\$ 5,419.60	\$903.27	25	58	\$ 40,985.95	\$706.65
CARDC	12	11	\$11,140.32	12	\$ 11,650.32	\$970.86	33	127	\$ 117,226.40	\$923.04
CARSC	0	0		0			2	7	\$ 4,470.00	\$638.57
DOVDC	0	13	\$11,650.56	16	\$ 15,488.76	\$968.05	23	83	\$ 82,013.48	\$988.11
DOVSC	0	1	\$1,147.52	1	\$ 101.00	\$101.00	1	2	\$ 928.18	\$464.09
ELLDC	4	51	\$33,900.00	45	\$ 28,162.23	\$625.83	58	333	\$ 293,167.14	\$880.38
ELLSC	0	0		0			0	1	\$ 322.50	\$322.50
FARDC	7	28	\$32,706.90	25	\$ 26,076.28	\$1,043.05	79	200	\$ 192,452.06	\$962.26
FARSC	3	1	\$615.00	0			3	0		
FORDC	0	10	\$10,875.00	11	\$ 10,500.00	\$954.55	15	69	\$ 53,029.11	\$768.54
HOUDC	4	19	\$15,807.45	20	\$ 16,022.52	\$801.13	36	127	\$ 121,674.32	\$958.07
HOUSC	0	0		0			0	0		
LEWDC	52	155	\$185,304.81	176	\$ 252,686.03	\$1,435.72	379	938	\$ 1,137,794.44	\$1,213.00
LINDC	4	19	\$15,655.18	14	\$ 8,762.26	\$625.88	39	83	\$ 73,898.66	\$890.35
MACDC	1	13	\$10,718.64	9	\$ 5,251.64	\$583.52	11	52	\$ 42,411.08	\$815.60
MACSC	0	0		1	\$ 1,837.71	\$1,837.71	2	3	\$ 10,463.22	\$3,487.74
MADDC	0	0		0			0	5	\$ 24,185.67	\$4,837.13
MILDC	0	3	\$3,067.00	1	\$ 135.00	\$135.00	7	9	\$ 12,854.36	\$1,428.26
NEWDC	12	28	\$18,054.36	31	\$ 23,769.36	\$766.75	67	172	\$ 140,204.75	\$815.14
PORDC	25	108	\$123,033.52	102	\$ 98,469.50	\$965.39	280	1,013	\$ 854,490.42	\$843.52
PORSC	0	4	\$1,182.20	3	\$ 672.20	\$224.07	7	19	\$ 13,650.76	\$718.46
PREDC	4	15	\$10,207.56	17	\$ 14,091.50	\$828.91	41	127	\$ 129,034.99	\$1,016.02
RODC	2	6	\$7,036.84	10	\$ 9,913.79	\$991.38	60	151	\$ 198,414.16	\$1,314.00
ROCSC	0	0		2	\$ 2,968.08	\$1,484.04	1	3	\$ 4,924.02	\$1,641.34
RUMDC	2	27	\$39,009.48	23	\$ 35,045.94	\$1,523.74	38	197	\$ 222,154.31	\$1,127.69
SKODC	5	49	\$51,020.22	67	\$ 78,274.63	\$1,168.28	132	381	\$ 528,571.20	\$1,387.33
SKOSC	1	1	\$1,750.95	1	\$ 1,750.95	\$1,750.95	2	4	\$ 4,415.72	\$1,103.93
SOUDC	4	31	\$28,825.28	25	\$ 20,081.50	\$803.26	59	187	\$ 168,014.25	\$898.47
SOUSC	4	3	\$1,185.00	1	\$ 45.00	\$45.00	7	5	\$ 2,557.50	\$511.50
SPRDC	0	1	\$630.00	3	\$ 1,545.00	\$515.00	12	32	\$ 28,687.50	\$896.48
Law Ct	17	46	\$101,713.09	54	\$ 107,256.72	\$1,986.24	111	301	\$ 665,187.39	\$2,209.92
Training	14	20	\$15,142.08	27	\$ 47,441.43	\$1,757.09	466	517	\$ 701,073.11	\$1,356.04
YORCD	305	565	\$496,634.54	536	\$ 434,862.75	\$811.31	1,898	3,160	\$ 2,940,371.66	\$930.50
ARODC	142	213	\$144,538.03	243	\$ 151,784.25	\$624.63	861	1,519	\$ 1,176,045.47	\$774.22
ANDCD	155	467	\$280,265.52	458	\$ 324,344.79	\$708.18	1,166	3,010	\$ 2,052,386.30	\$681.86
KENCD	161	311	\$255,653.73	276	\$ 245,971.57	\$891.20	1,266	1,647	\$ 1,480,328.90	\$898.80
PENCD	214	429	\$369,585.93	373	\$ 366,733.47	\$983.20	1,403	2,579	\$ 2,295,886.77	\$890.22
SAGCD	29	75	\$72,379.31	62	\$ 56,395.98	\$909.61	277	498	\$ 448,899.43	\$901.40
WALCD	49	86	\$79,448.58	78	\$ 65,007.19	\$833.43	467	570	\$ 528,110.97	\$926.51
PISCD	22	20	\$13,209.00	19	\$ 12,056.44	\$634.55	144	171	\$ 213,055.34	\$1,245.94
HANCD	65	72	\$82,673.40	72	\$ 74,506.74	\$1,034.82	340	437	\$ 390,283.50	\$893.10
FRACD	25	56	\$42,832.58	49	\$ 30,447.32	\$621.37	236	380	\$ 363,432.26	\$956.40
WASCD	39	89	\$88,238.39	40	\$ 41,536.90	\$1,038.42	304	371	\$ 412,957.63	\$1,113.09
CUMCD	374	997	\$907,501.48	965	\$ 804,659.61	\$833.84	2,846	5,308	\$ 4,690,765.47	\$883.72
KNODC	98	94	\$249,665.26	96	\$ 90,864.68	\$946.51	444	545	\$ 525,458.41	\$964.14
SOMCD	81	109	\$119,688.86	132	\$ 129,778.64	\$983.17	636	774	\$ 707,880.78	\$914.57
OXFCD	87	202	\$195,819.66	202	\$ 148,471.92	\$735.01	651	1,284	\$ 1,006,914.13	\$784.20
LINCD	36	74	\$56,561.28	67	\$ 46,928.68	\$700.43	334	419	\$ 329,994.53	\$787.58
WATDC	17	27	\$29,430.46	34	\$ 38,315.24	\$1,126.92	90	198	\$ 244,939.20	\$1,237.07
WESDC	6	28	\$29,828.33	29	\$ 22,553.98	\$777.72	115	230	\$ 199,460.34	\$867.22
WISDC	0	6	\$12,234.00	6	\$ 10,407.96	\$1,734.66	7	76	\$ 95,360.95	\$1,254.75
WISSC	0	0		0			2	2	\$ 3,331.80	\$1,665.90
YORDC	1	17	\$5,198.53	13	\$ 4,466.56	\$343.58	31	45	\$ 28,230.96	\$627.35
TOTAL	2,202	4,961	\$4,690,396.82	4,772	\$4,278,088.50	\$896.50	16,500	30,782	\$28,732,576.68	\$953.42

STATEMENT OF ALLOTMENTS/BUDGET Maine
Commission on Public Defense Services
FY26 As of 01/31/2026

Fund Account Name

GENERAL

010 MAINE COMMISSION

	Quarter 1		Quarter 2		Quarter 3		Quarter 4		Total	
	1	2	1	2	1	2	1	2	1	2
Object Class	PS	AO	PS	AO	PS	AO	PS	AO	PS	AO
Budget/Allotment	2,338,782.00	15,234,914.00	2,654,103.00	12,433,665.00	4,558,688.00	14,365,485.00	685,206.00	547,189.00	10,236,779.00	42,581,253.00
Expenditures to date	(2,338,781.78)	(14,188,190.33)	(2,654,102.90)	(12,530,668.23)	(779,733.63)	(4,978,275.48)	-	-	(5,772,618.31)	(31,697,134.04)
Encumbrances		(1,046,722.31)		97,003.22		154,578.08		-		(795,141.01)
Total Available Allotment	0.22	1.36	0.10	(0.01)	3,778,954.37	9,541,787.60	685,206.00	547,189.00	4,464,160.69	10,088,977.95

OTHER SPECIAL REVENUE F

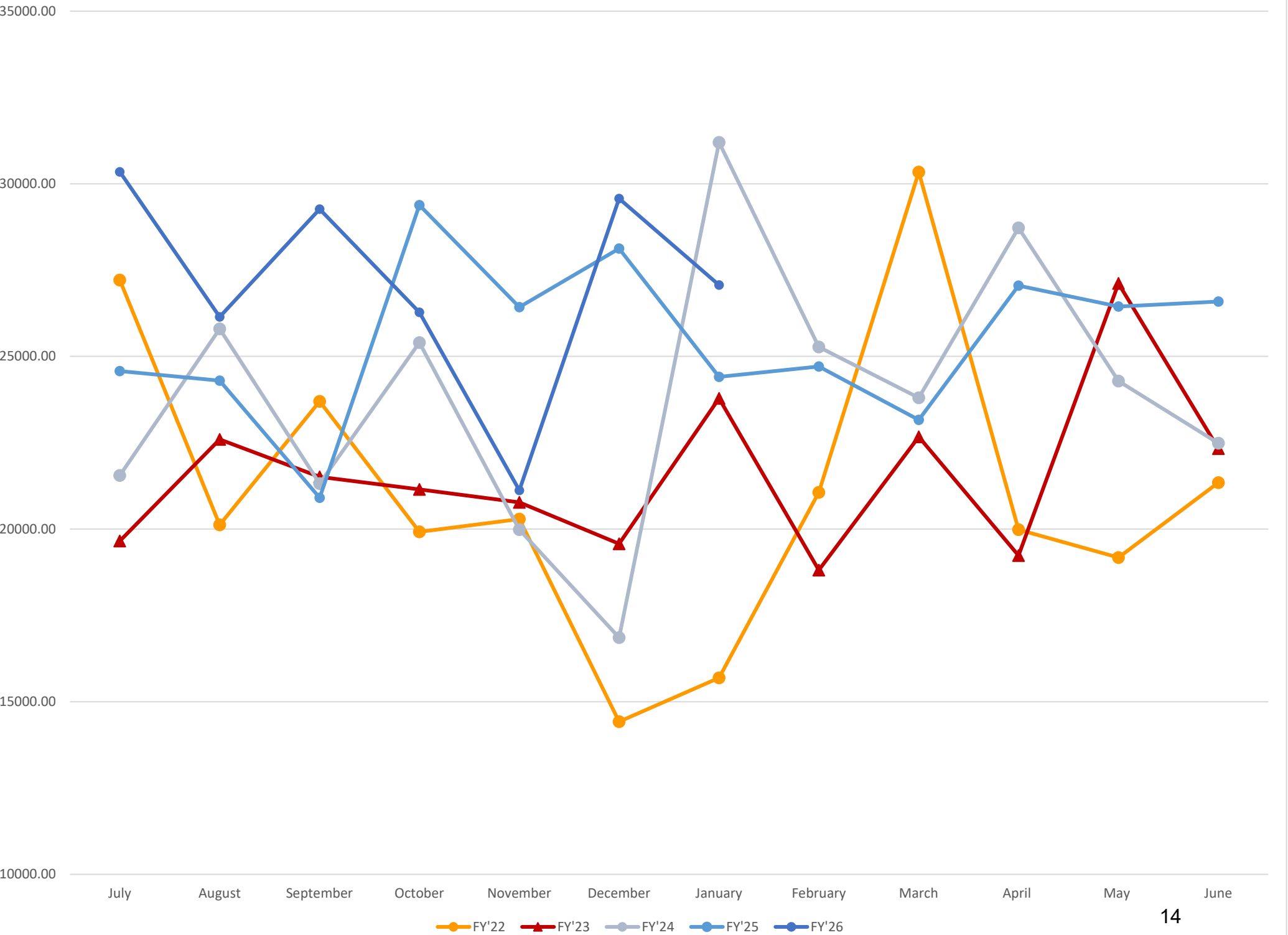
014 MAINE COMMISSION

	Quarter 1		Quarter 2		Quarter 3		Quarter 4		Total	
	1	2	1	2	1	2	1	2	1	2
Object Class	PS	AO	PS	AO	PS	AO	PS	AO	PS	AO
Budget/Allotment	-	55,117.00	-	(47,394.00)	-	330,980.00	-	66,666.00	-	405,369.00
Expenditures to date	-	(40,089.74)	-	40,089.74	-	-	-	-	-	-
Encumbrances		(15,025.75)		7,304.94		-		-		(7,720.81)
Total Available Allotment	-	1.51	-	0.68	-	\$330,980.00	-	\$66,666.00	-	\$397,648.19

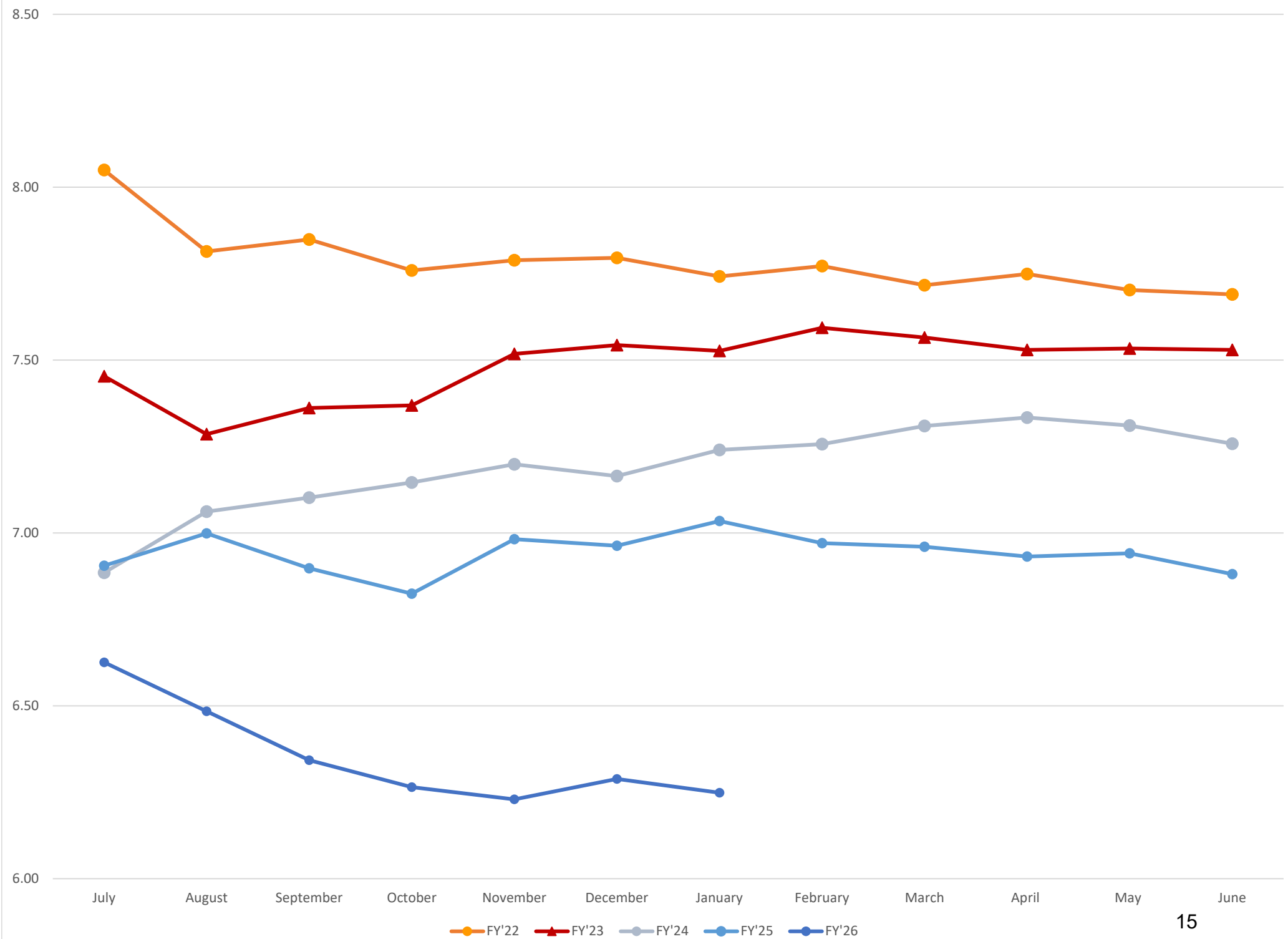
		PS	All Other Expenditures																			Total All Other	Expenditures
		PROF. SERVICES, NOT BY STATE	PROF. SERVICES, BY STATE	TRAVEL EXPENSES, IN STATE	TRAVEL EXPENSES, OUT OF STATE	UTILITY SERVICES	RENTS	REPAIRS	INSURANCE	GENERAL OPERATIONS	EMPLOYEE TRAINING	COMMODITIES - FOOD	TECHNOLOGY	CLOTHING	EQUIPMENT AND TECHNOLOGY	OFFICE & OTHER SUPPLIES	LABOR AND INS CLIENT BENEFITS	ASSISTANCE AND RELIEF GRANT	CHARGES TO ASSETS AND LIAB.	TELECOMMU NICATIONS			
		31-39	40	41	42	43	45	46	47	48	49	50	51	53	54	55	56	65	67	90	95		
Budget		10,236,779.00	22,336,015.00	18,698,571.00	229,990.00	-	-	75,000.00	-	3,760.00	58,850.00	7,900.00	-	1,103,515.00	-	18,979.00	43,673.00	-	-	-	5,000.00	42,581,253.00	52,818,032.00
Jul-25	1	958,692.39	5,088,111.07	24,744.24	3,113.42	-	-	26,368.72	-	9,502.81	141,664.30	1,125.00	7,222.55	103,018.06	-	-	4,905.12	-	-	785.00	2,167.00	5,412,727.29	6,371,419.68
Aug-25	2	671,020.24	3,858,988.20	33.00	7,349.04	-	-	818.50	-	-	109,415.38	820.64	12,275.35	23,839.20	-	600.00	14,989.31	45.89	-	300.00	-	4,029,474.51	4,700,494.75
Sep-25	3	709,069.15	4,560,907.85	-	2,427.68	-	16.00	-	-	225.00	112,990.70	4,630.00	-	56,561.83	156.50	-	7,934.97	-	-	150.00	-	4,745,988.53	5,455,057.68
Oct-25	4	764,732.76	3,957,517.65	24,744.24	5,489.51	-	-	-	-	18.15	114,727.39	900.00	-	89,781.72	156.44	-	7,018.35	-	-	-	147.15	4,200,725.57	4,965,458.33
Nov-25	5	779,329.10	3,229,029.34	-	11,383.59	1,110.23	40.88	32,894.97	15.12	-	152,567.30	7,689.26	28,907.59	18,358.00	-	(109.98)	12,738.81	-	48.25	-	-	3,494,673.36	4,274,002.46
Dec-25	6	1,110,041.04	4,553,885.61	-	8,130.86	157.68	-	31,517.01	-	-	180,570.40	(650.00)	-	57,550.87	-	-	4,105.87	-	-	1.00	-	4,835,269.30	5,945,310.34
Jan-26	7	779,733.63	4,483,473.98	24,744.24	4,807.35	-	-	286,011.15	-	-	124,442.31	94.07	-	49,004.54	-	-	5,695.84	-	-	2.00	-	4,978,275.48	5,758,009.11
Feb-26	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Mar-26	9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Apr-26	10	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
May-26	11	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Jun-26	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Expenditures		5,772,618.31	29,731,913.70	74,265.72	42,701.45	1,267.91	56.88	377,610.35	15.12	9,745.96	936,377.78	14,608.97	48,405.49	398,114.22	300.94	714.99	57,388.27	45.89	48.25	1,238.00	2,314.15	31,697,134.04	37,469,752.35
Encumbrances		-	490,434.66	-	-	-	-	-	-	-	534.03	18,000.00	9,511.55	187,179.01	-	-	89,481.76	-	-	-	-	795,141.01	795,141.01
Estimated Remaining Expenses		3,974,383.20	22,500,000.00	24,744.24	30,501.04	905.65	40.63	269,721.68	10.80	6,961.40	668,841.27	10,434.98	34,575.35	284,367.30	214.96	510.71	40,991.62	32.78	34.46	884.29	1,652.96	23,875,426.11	27,849,809.31
Total Estimated Expenses		9,747,001.51	52,722,348.36	99,009.96	73,202.49	2,173.56	97.51	647,332.03	25.92	16,707.36	1,605,753.08	43,043.95	92,492.39	869,660.53	515.90	1,225.70	187,861.65	78.67	82.71	2,122.29	3,967.11	56,367,701.16	66,114,702.67
Remaining Funds Available		489,777.49	(30,386,333.36)	18,599,561.04	156,787.51	(2,173.56)	(97.51)	(572,332.03)	(25.92)	(12,947.36)	(1,546,903.08)	(35,143.95)	(92,492.39)	233,854.47	(515.90)	17,753.30	(144,188.65)	(78.67)	(82.71)	(2,122.29)	1,032.89	(13,786,448.16)	(13,296,670.67)

Sum of Expended Amount		Fund 010 Z11201	Approp Grand Total
Object Revenue	Object Name		
4005	READER & INTERPRETER SERV	4,441.63	4,441.63
4031	INSPECT & INVESTIGATION	41,009.18	41,009.18
4040	COURT APPOINTED ATTORNEYS	4,275,994.50	4,275,994.50
4046	MEDICAL SERVICES	41,142.22	41,142.22
4047	PSYCHOLOGICAL EXAMINATION	78,565.00	78,565.00
4056	RESEARCH SERVICES	1,010.00	1,010.00
4075	CASE MANAGEMENT SERVICES	19,867.09	19,867.09
4099	MISC PROF FEES & SPEC SRV	21,444.36	21,444.36
4105	SERVICE CENTER	24,744.24	24,744.24
4270	AUTO MILEAGE-GEN IN STATE	3,397.74	3,397.74
4271	OTHER TRANSPORTATION	81.25	81.25
4273	HOTEL ROOM & LODGING	1,163.81	1,163.81
4274	MEALS AND GRATUITIES	164.55	164.55
4606	RENT BUILDINGS AND OFFICE	286,011.15	286,011.15
4911	POSTAGE	696.92	696.92
4913	INTRAGOVERNMENTAL SERVICE	63.14	63.14
4922	WASTE RECYCLING	30.00	30.00
4930	TRANSCRIPTS	4,482.50	4,482.50
4946	ADVERTISING NOTICES	274.82	274.82
4959	EXPERT WITNESS FEES	113,794.93	113,794.93
4983	DUES	5,100.00	5,100.00
5002	REGISTRATION FEE-STATE	94.07	94.07
5301	OIT PROFESSIONAL CHARGES	1,032.94	1,032.94
5302	TELEPHONE SERVICE	3,132.52	3,132.52
5304	CELLULAR PHONE SERVICE	5,571.73	5,571.73
5310	IT END USER SERVICES	17,141.05	17,141.05
5312	IT CONSULTING-NON STATE	7,578.00	7,578.00
5315	IT APPLICATIONS-BY STATE	3,359.61	3,359.61
5331	NETWORK ACCESS	145.62	145.62
5341	LEASE PURCHASE HARDWARE/SYSTEM	1,076.55	1,076.55
5355	SOFTWARE MAINT / LICENSES	8,917.85	8,917.85
5370	MINOR IT EQUIPMENT	1,048.67	1,048.67
5602	OFFICE SUPPLIES	3,950.78	3,950.78
5627	PURCHASE OF BOOKS	1,108.63	1,108.63
5636	MISC SUPPLIES	636.43	636.43
9009	MISC BILLING	2.00	2.00
Grand Total		4,978,275.48	4,978,275.48

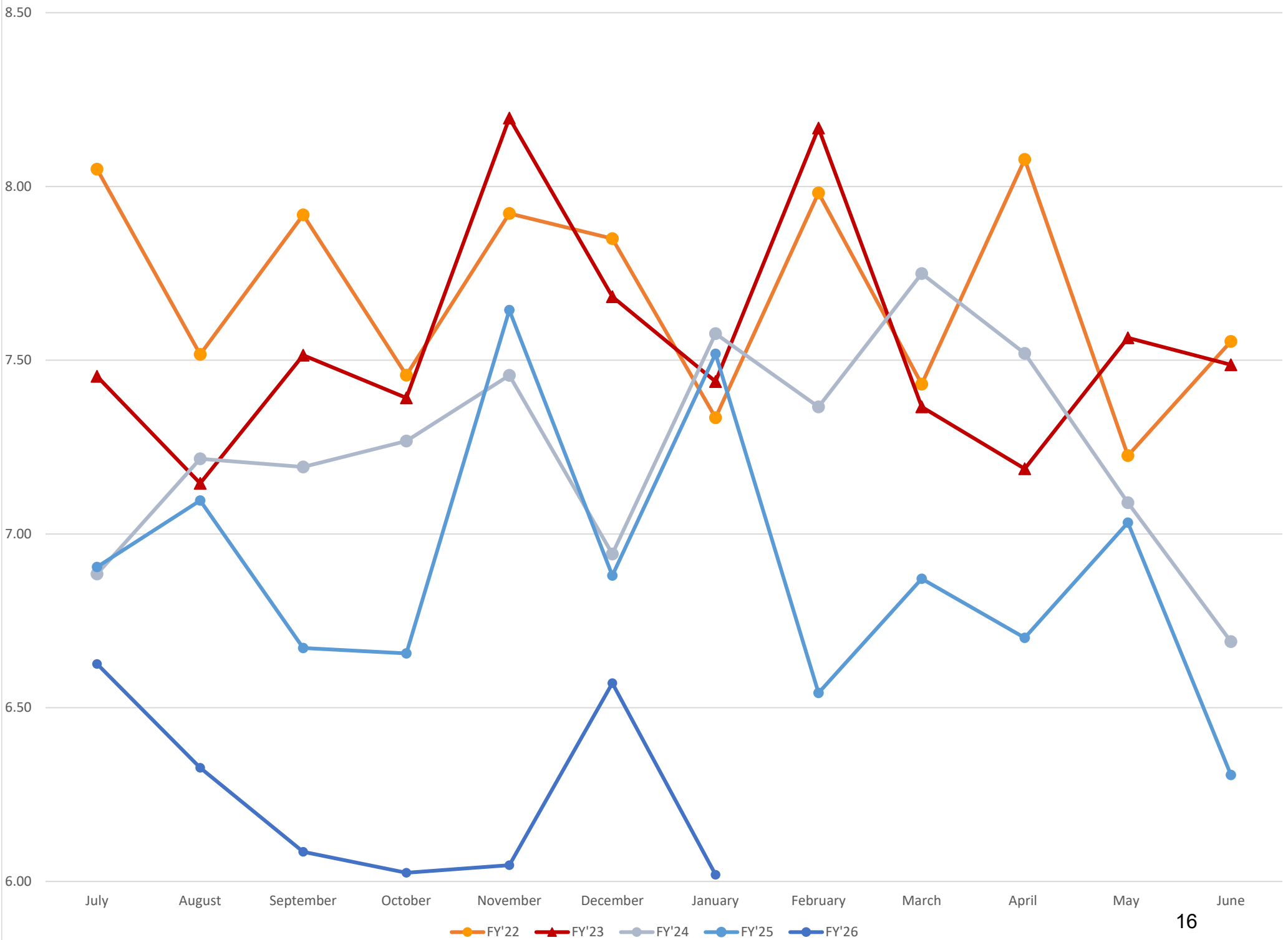
Paid Hours Amount



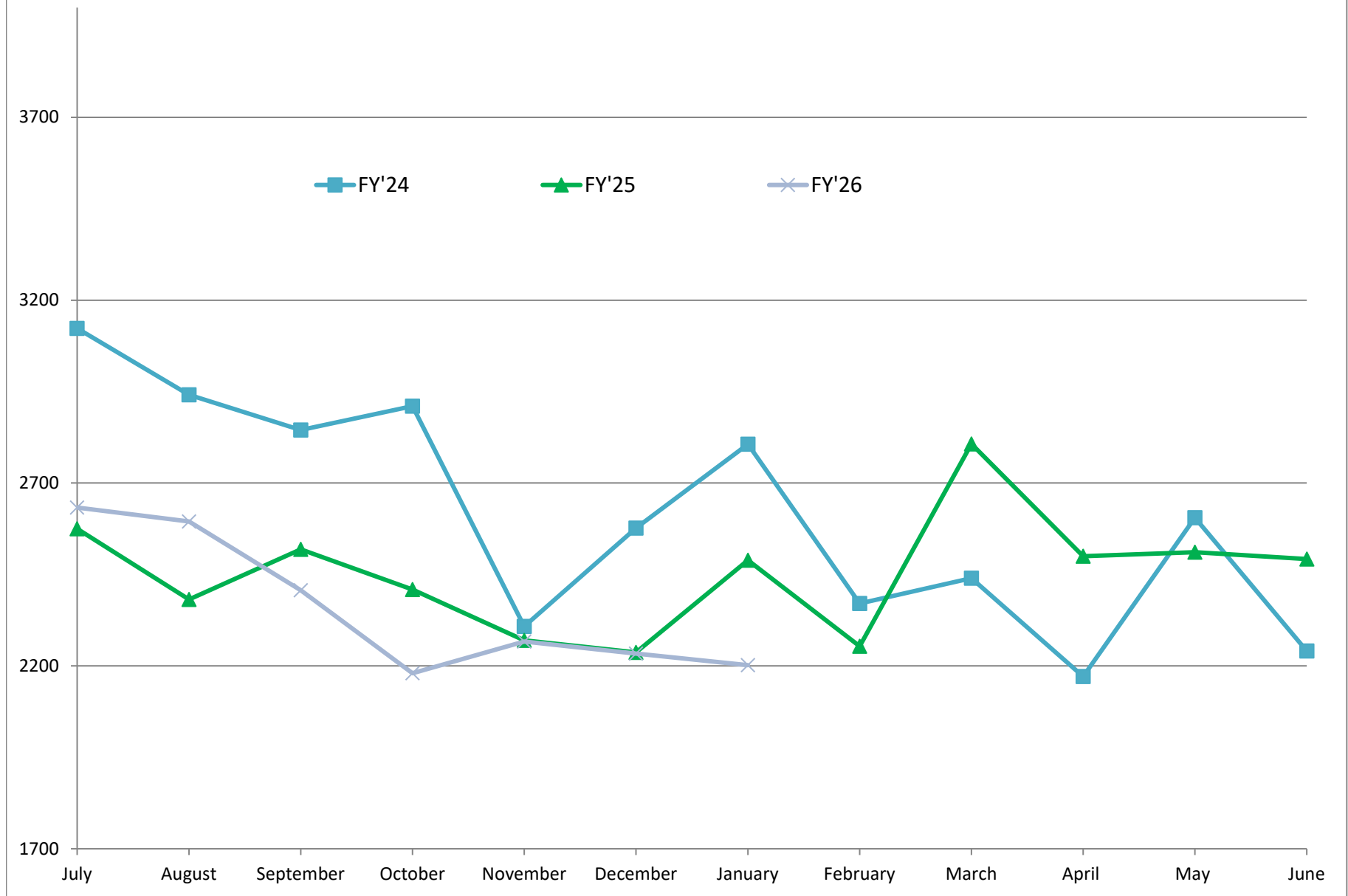
Average Hours per Voucher FYTD



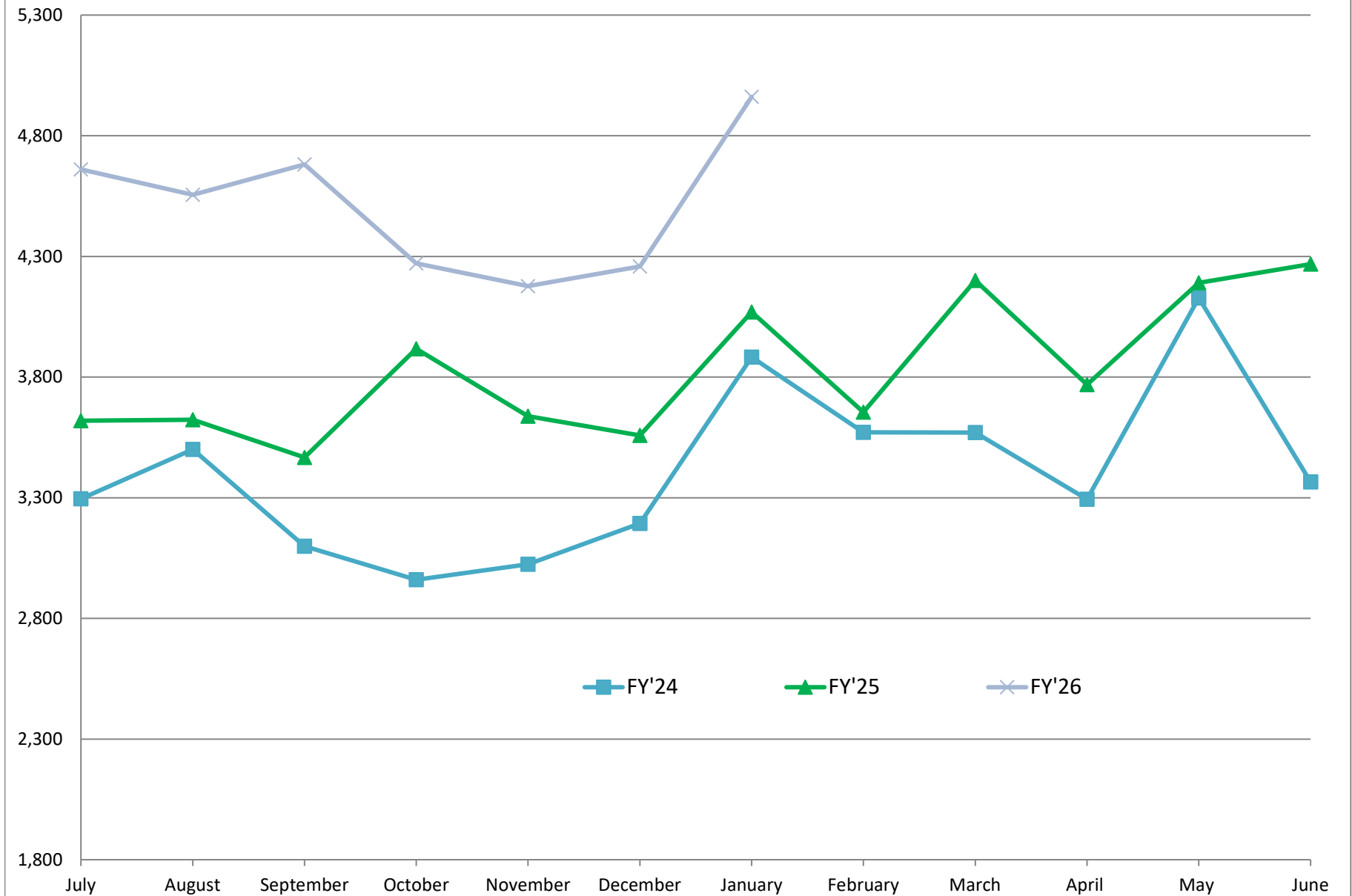
Monthly Average Hours per Voucher



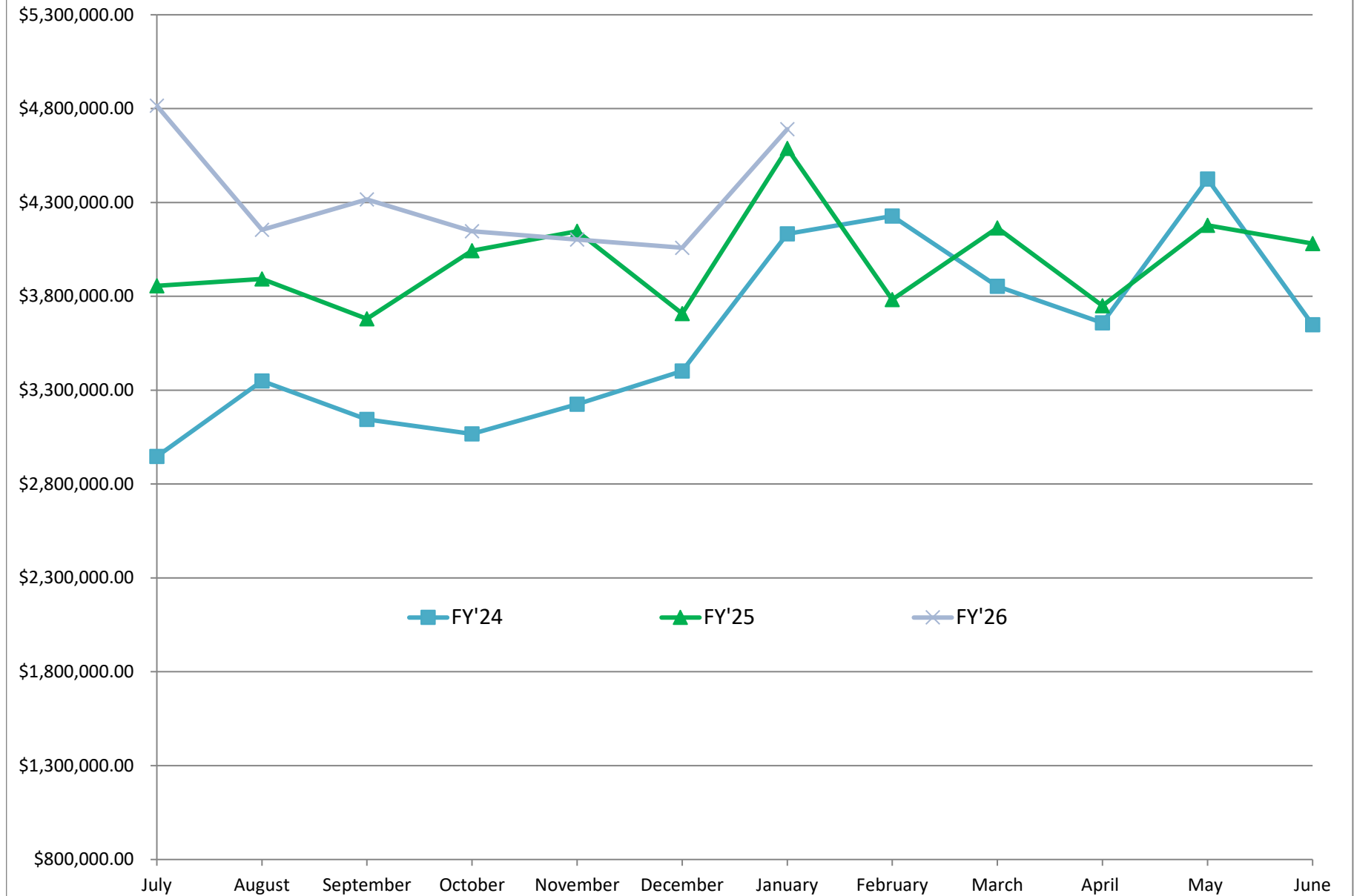
NEW CASES



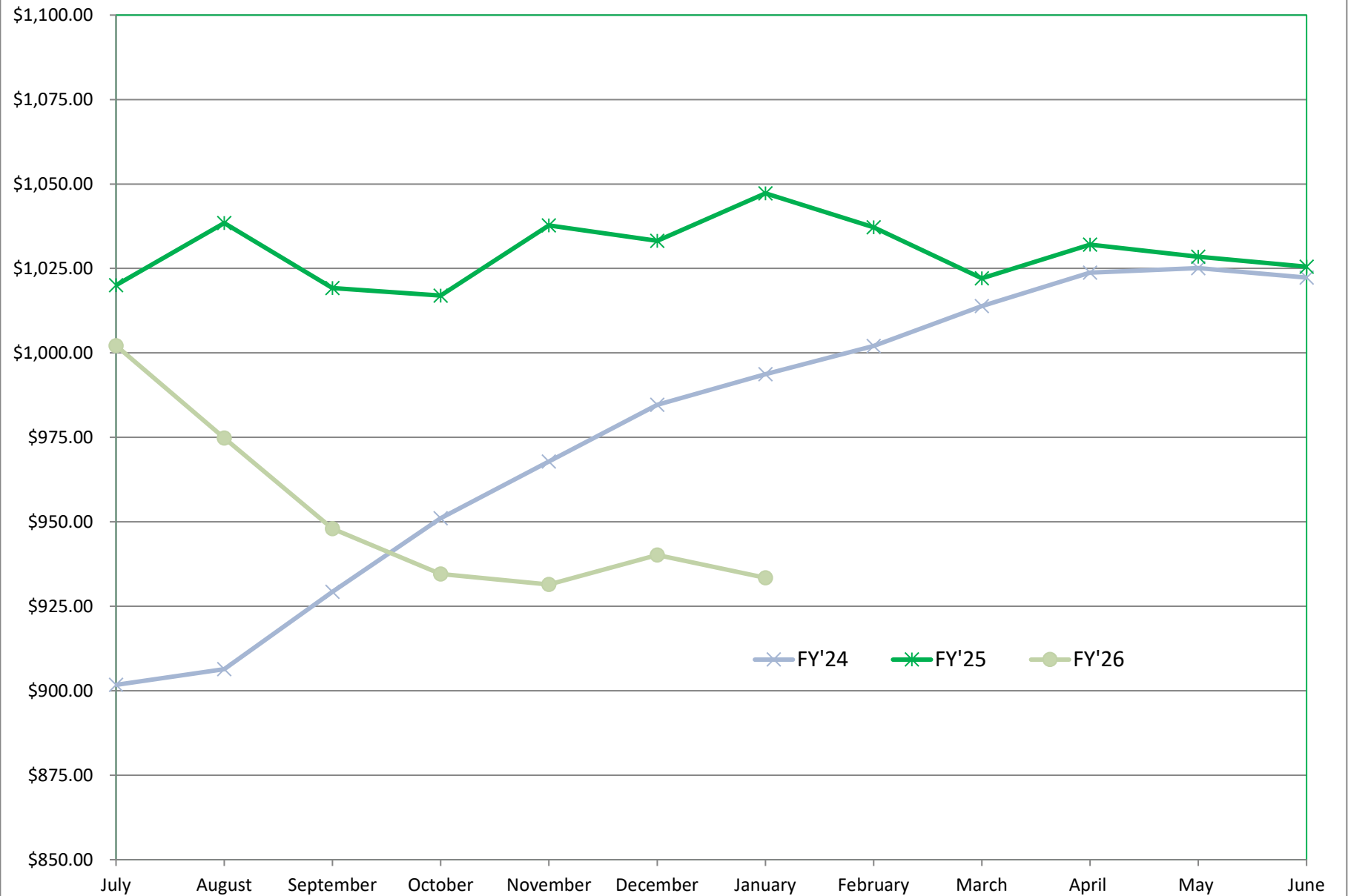
Submitted Vouchers

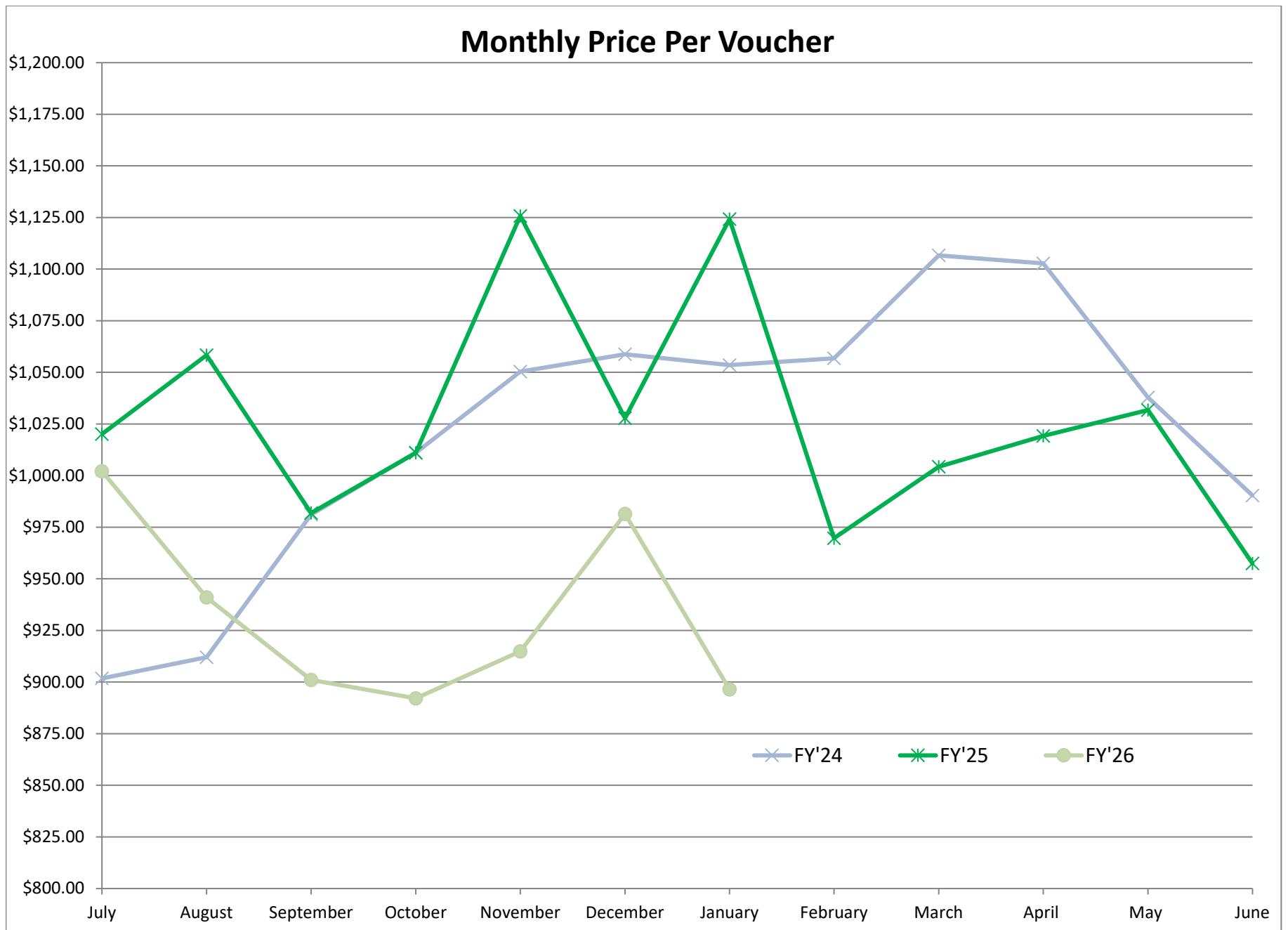


Submitted Voucher Amount



Average Voucher Price Fiscal Year to Date





Pending UCD Cases as of February 6, 2026

UCD	FELONY				MISDEMEANOR				CIVIL VIOLATION			ALL CASES			
	Pending	On DD	No IA	% No IA	Pending	On DD	No IA	% No IA	Pending	No IA	% No IA	Pending	On DD	No IA	% No IA
Androscoggin	699	116	114	16.3%	1,328	230	467	35.2%	19	11	57.9%	2,046	346	592	28.9%
Aroostook	488	110	32	6.6%	740	252	143	19.3%	25	15	60.0%	1,253	362	190	15.2%
Caribou	94	25	9	9.6%	141	51	25	17.7%	4	2	50.0%	239	76	36	15.1%
Fort Kent	68	20	4	5.9%	147	63	24	16.3%	9	6	66.7%	224	83	34	15.2%
Houlton	163	26	8	4.9%	207	69	54	26.1%	3	2	66.7%	373	95	64	17.2%
Presque Isle	163	39	11	6.7%	245	69	40	16.3%	9	5	55.6%	417	108	56	13.4%
Cumberland	1,281	199	107	8.4%	2,785	452	487	17.5%	84	22	26.2%	4,150	651	616	14.8%
Bridgton	21	8	0	0.0%	229	52	35	15.3%	6	2	33.3%	256	60	37	14.5%
Portland	1,251	188	104	8.3%	2,276	346	366	16.1%	55	12	21.8%	3,582	534	482	13.5%
West Bath	9	3	3	33.3%	280	54	86	30.7%	23	8	34.8%	312	57	97	31.1%
Franklin	127	29	27	21.3%	332	88	124	37.3%	16	14	87.5%	475	117	165	34.7%
Hancock	224	35	7	3.1%	448	63	109	24.3%	21	5	23.8%	693	98	121	17.5%
Kennebec	623	105	68	10.9%	1,430	259	404	28.3%	27	19	70.4%	2,080	364	491	23.6%
Augusta	598	97	66	11.0%	935	165	255	27.3%	21	15	71.4%	1,554	262	336	21.6%
Waterville	25	8	2	8.0%	495	94	149	30.1%	6	4	66.7%	526	102	155	29.5%
Knox	254	26	24	9.4%	516	123	98	19.0%	8	0	0.0%	778	149	122	15.7%
Lincoln	184	32	15	8.2%	426	116	89	20.9%	20	9	45.0%	630	148	113	17.9%
Oxford	380	92	88	23.2%	706	178	224	31.7%	22	11	50.0%	1,108	270	323	29.2%
Bridgton	56	13	21	37.5%	99	12	50	50.5%	1	0	0.0%	156	25	71	45.5%
Rumford	89	28	6	6.7%	148	49	9	6.1%	4	0	0.0%	241	77	15	6.2%
South Paris	235	51	61	26.0%	459	117	165	35.9%	17	11	64.7%	711	168	237	33.3%
Penobscot	645	35	66	10.2%	1,453	33	388	26.7%	43	30	69.8%	2,141	68	484	22.6%
Bangor	623	35	61	9.8%	1,056	25	254	24.1%	15	8	53.3%	1,694	60	323	19.1%
Lincoln	9	0	5	55.6%	138	3	54	39.1%	13	9	69.2%	160	3	68	42.5%
Newport	13	0	0	0.0%	259	5	80	30.9%	15	13	86.7%	287	5	93	32.4%
Piscataquis	39	1	7	17.9%	66	2	22	33.3%	10	8	80.0%	115	3	37	32.2%
Sagadahoc	133	25	12	9.0%	331	104	77	23.3%	11	4	36.4%	475	129	93	19.6%
Somerset	345	73	16	4.6%	572	116	128	22.4%	16	13	81.3%	933	189	157	16.8%
Waldo	192	26	16	8.3%	318	81	61	19.2%	5	4	80.0%	515	107	81	15.7%
Washington	189	10	4	2.1%	272	62	50	18.4%	16	3	18.8%	477	72	57	11.9%
Calais	77	6	1	1.3%	126	28	25	19.8%	5	1	20.0%	208	34	27	13.0%
Machias	112	4	3	2.7%	146	34	25	17.1%	11	2	18.2%	269	38	30	11.2%
York	727	111	59	8.1%	2,427	587	550	22.7%	90	18	20.0%	3,244	698	627	19.3%
TOTAL	6,530	1,025	662	10.1%	14,150	2,746	3,421	24.2%	433	186	43.0%	21,113	3,771	4,269	20.2%

Columns	
Pending	Number of cases having at least one charge without a disposition, and without a currently active warrant.
On DD	Number of pending cases with an Order of Deferred Disposition entered.
No IA	Number of pending cases with a complaint filed, but not having an initial appearance or arraignment held or waived.
% No IA	Percent of pending cases without an initial appearance/arraignment.

Cases are categorized based on the most serious offense charged. Local ordinance violations filed with the court are not included in the reported counts.

Change in Pending UCD Cases, February 2025 to February 2026

Pending cases as of February 6 of each year

UCD	FELONY			MISDEMEANOR			CIVIL VIOLATION			ALL CASES		
	2025	2026	% Diff	2025	2026	% Diff	2025	2026	% Diff	2025	2026	% Diff
Androscoggin	737	699	-5.2%	1,397	1,328	-4.9%	11	19	72.7%	2,145	2,046	-4.6%
Aroostook	537	488	-9.1%	796	740	-7.0%	23	25	8.7%	1,356	1,253	-7.6%
Caribou	111	94	-15.3%	143	141	-1.4%	6	4	-33.3%	260	239	-8.1%
Fort Kent	77	68	-11.7%	168	147	-12.5%	3	9	200.0%	248	224	-9.7%
Houlton	145	163	12.4%	205	207	1.0%	9	3	-66.7%	359	373	3.9%
Presque Isle	204	163	-20.1%	280	245	-12.5%	5	9	80.0%	489	417	-14.7%
Cumberland	1,355	1,281	-5.5%	3,389	2,785	-17.8%	74	84	13.5%	4,818	4,150	-13.9%
Bridgton	23	21	-8.7%	318	229	-28.0%	10	6	-40.0%	351	256	-27.1%
Portland	1,309	1,251	-4.4%	2,711	2,276	-16.0%	46	55	19.6%	4,066	3,582	-11.9%
West Bath	23	9	-60.9%	360	280	-22.2%	18	23	27.8%	401	312	-22.2%
Franklin	126	127	0.8%	300	332	10.7%	10	16	60.0%	436	475	8.9%
Hancock	249	224	-10.0%	407	448	10.1%	37	21	-43.2%	693	693	0.0%
Kennebec	559	623	11.4%	1,396	1,430	2.4%	21	27	28.6%	1,976	2,080	5.3%
Augusta	525	598	13.9%	869	935	7.6%	18	21	16.7%	1,412	1,554	10.1%
Waterville	34	25	-26.5%	527	495	-6.1%	3	6	100.0%	564	526	-6.7%
Knox	199	254	27.6%	561	516	-8.0%	6	8	33.3%	766	778	1.6%
Lincoln	178	184	3.4%	429	426	-0.7%	7	20	185.7%	614	630	2.6%
Oxford	481	380	-21.0%	857	706	-17.6%	15	22	46.7%	1,353	1,108	-18.1%
Bridgton	43	56	30.2%	83	99	19.3%	0	1	0.0%	126	156	23.8%
Rumford	167	89	-46.7%	320	148	-53.8%	3	4	33.3%	490	241	-50.8%
South Paris	271	235	-13.3%	454	459	1.1%	12	17	41.7%	737	711	-3.5%
Penobscot	702	645	-8.1%	1,580	1,453	-8.0%	59	43	-27.1%	2,341	2,141	-8.5%
Bangor	683	623	-8.8%	1,207	1,056	-12.5%	14	15	7.1%	1,904	1,694	-11.0%
Lincoln	3	9	200.0%	149	138	-7.4%	35	13	-62.9%	187	160	-14.4%
Newport	16	13	-18.8%	224	259	15.6%	10	15	50.0%	250	287	14.8%
Piscataquis	38	39	2.6%	86	66	-23.3%	25	10	-60.0%	149	115	-22.8%
Sagadahoc	169	133	-21.3%	404	331	-18.1%	15	11	-26.7%	588	475	-19.2%
Somerset	292	345	18.2%	523	572	9.4%	9	16	77.8%	824	933	13.2%
Waldo	177	192	8.5%	332	318	-4.2%	9	5	-44.4%	518	515	-0.6%
Washington	157	189	20.4%	285	272	-4.6%	16	16	0.0%	458	477	4.1%
Calais	72	77	6.9%	120	126	5.0%	7	5	-28.6%	199	208	4.5%
Machias	85	112	31.8%	165	146	-11.5%	9	11	22.2%	259	269	3.9%
York	746	727	-2.5%	2,538	2,427	-4.4%	58	90	55.2%	3,342	3,244	-2.9%
TOTAL	6,702	6,530	-2.6%	15,280	14,150	-7.4%	395	433	9.6%	22,377	21,113	-5.6%

Columns

2025	Number of cases having at least one charge without a disposition, and without a currently active warrant as of February 6, 2025
2026	Number of cases having at least one charge without a disposition, and without a currently active warrant as of February 6, 2026
% Diff	Percent change in pending cases from 2025 to 2026. Red percentages represent an increase, green percentages a decrease.

Cases are categorized based on the most serious offense charged. Local ordinance violations filed with the courts are not included in the reported counts.

Change in Pending UCD Cases, February 2019 to February 2026

Pending cases as of February 6 of each year

UCD	FELONY			MISDEMEANOR			CIVIL VIOLATION			ALL CASES		
	2019	2026	% Diff	2019	2026	% Diff	2019	2026	% Diff	2019	2026	% Diff
Androscoggin	374	699	86.9%	1,226	1,328	8.3%	16	19	18.8%	1,616	2,046	26.6%
Aroostook	325	488	50.2%	597	740	24.0%	41	25	-39.0%	963	1,253	30.1%
Caribou	62	94	51.6%	142	141	-0.7%	12	4	-66.7%	216	239	10.6%
Fort Kent	35	68	94.3%	112	147	31.3%	6	9	50.0%	153	224	46.4%
Houlton	95	163	71.6%	130	207	59.2%	5	3	-40.0%	230	373	62.2%
Presque Isle	133	163	22.6%	213	245	15.0%	18	9	-50.0%	364	417	14.6%
Cumberland	755	1,281	69.7%	2,444	2,785	14.0%	122	84	-31.1%	3,321	4,150	25.0%
Bridgton	9	21	133.3%	193	229	18.7%	17	6	-64.7%	219	256	16.9%
Portland	730	1,251	71.4%	1,925	2,276	18.2%	82	55	-32.9%	2,737	3,582	30.9%
West Bath	16	9	-43.8%	326	280	-14.1%	23	23	0.0%	365	312	-14.5%
Franklin	87	127	46.0%	256	332	29.7%	9	16	77.8%	352	475	34.9%
Hancock	204	224	9.8%	454	448	-1.3%	34	21	-38.2%	692	693	0.1%
Kennebec	330	623	88.8%	1,091	1,430	31.1%	43	27	-37.2%	1,464	2,080	42.1%
Augusta	313	598	91.1%	593	935	57.7%	25	21	-16.0%	931	1,554	66.9%
Waterville	17	25	47.1%	498	495	-0.6%	18	6	-66.7%	533	526	-1.3%
Knox	127	254	100.0%	272	516	89.7%	2	8	300.0%	401	778	94.0%
Lincoln	92	184	100.0%	189	426	125.4%	4	20	400.0%	285	630	121.1%
Oxford	204	380	86.3%	499	706	41.5%	26	22	-15.4%	729	1,108	52.0%
Bridgton	26	56	115.4%	84	99	17.9%	7	1	-85.7%	117	156	33.3%
Rumford	93	89	-4.3%	172	148	-14.0%	7	4	-42.9%	272	241	-11.4%
South Paris	85	235	176.5%	243	459	88.9%	12	17	41.7%	340	711	109.1%
Penobscot	361	645	78.7%	1,075	1,453	35.2%	108	43	-60.2%	1,544	2,141	38.7%
Bangor	349	623	78.5%	846	1,056	24.8%	73	15	-79.5%	1,268	1,694	33.6%
Lincoln	6	9	50.0%	73	138	89.0%	23	13	-43.5%	102	160	56.9%
Newport	6	13	116.7%	156	259	66.0%	12	15	25.0%	174	287	64.9%
Piscataquis	15	39	160.0%	32	66	106.3%	9	10	11.1%	56	115	105.4%
Sagadahoc	77	133	72.7%	240	331	37.9%	26	11	-57.7%	343	475	38.5%
Somerset	142	345	143.0%	538	572	6.3%	60	16	-73.3%	740	933	26.1%
Waldo	103	192	86.4%	231	318	37.7%	5	5	0.0%	339	515	51.9%
Washington	108	189	75.0%	185	272	47.0%	34	16	-52.9%	327	477	45.9%
Calais	34	77	126.5%	87	126	44.8%	10	5	-50.0%	131	208	58.8%
Machias	74	112	51.4%	98	146	49.0%	24	11	-54.2%	196	269	37.2%
York	779	727	-6.7%	2,645	2,427	-8.2%	102	90	-11.8%	3,526	3,244	-8.0%
TOTAL	4,083	6,530	59.9%	11,974	14,150	18.2%	641	433	-32.4%	16,698	21,113	26.4%

Columns

2019	Number of cases having at least one charge without a disposition, and without a currently active warrant as of February 6, 2019
2026	Number of cases having at least one charge without a disposition, and without a currently active warrant as of February 6, 2026
% Diff	Percent change in pending cases from 2019 to 2026. Red percentages represent an increase, green percentages a decrease.

Cases are categorized based on the most serious offense charged. Local ordinance violations filed with the courts are not included in the reported counts.

DISTRICT DEFENDERS' COMMISSION REPORT

February 2026

Highlands Region Update

The Bangor Unified Court is beginning to implement a UCD pilot project to replace Dispositional Conferences with standardized Scheduling Orders and Status Conferences. New cases are assigned a scheduling order and a status conference date at initial appearance. It is unclear how this new procedure will impact client's rights and defense strategy with cases subject to this process.

It is hoped that this new procedure will help reduce inefficiencies associated with attending dispositional conferences and massive docket calls. In February, HRPD defenders waited many hours in lines at dispositional conferences, waiting for their prosecutor counterparts.

Last week, at a Newport District Court Dispositional Conference day, no fewer than 6 defense attorneys, nearly all either acting as employed defenders or commission paid contract counsel waited for a single prosecutor, who was also handling *pro se* litigants.

It is hoped that having two docket calls and two jury selections a month will help the office be more efficient with trial prep, subpoenas, and jury selection preparations. That said, the move to two docket calls is seemingly built to favor efficiency for the prosecutors. Each prosecutor will only have cases assigned to one docket call per month, and have trials only in one term each month, while Defenders are likely to have to attend both docket calls, and could conceivably be vulnerable for trial in each term. The court appears to have built this new system around the District Attorney's office long-standing division into teams and structured its calendar explicitly to accommodate those teams.

Updates from Downeast Region

Justice Harold Stewart, who has been serving as trial justice for Hancock and Washington Counties, is retiring this month leaving the Superior Court without a presiding Justice.

January will be the last month with scheduled jury trials until July. The Downeast Region Public Defenders have been steadily accepting a share of the new cases filed in the region. Historically, Region VII has been fortunate to be one of the few areas in the state that never experienced a significant backlog of cases with defendants waiting for appointment of counsel.

However, having representation is meaningless if the court is not open and able to try cases. For individual clients the Downeast attorneys are analyzing speedy trial rights and filing motions to dismiss where warranted. The bigger picture is that there needs to be more judicial resources in the Downeast region to prevent these lapses in available trial time.

On a much more exciting and positive note, DRPD learned this month that it will be getting office space inside the new Hancock County courthouse being built in Ellsworth.

This will give the office room to grow and make the work more efficient. More importantly, it will physically and symbolically place the office within the court system where it belongs.

One of the advantages of having an established public defender office within state government is that it makes clear that counsel for Maine people accused of crime is not an afterthought or a separate cost that arises outside of the criminal court system. As *Gideon v. Wainwright*, states "lawyers in criminal courts are necessities, not luxuries."

Maine has chronically under-funded public defense in part because public defense is not widely viewed as an essential part of the criminal court system. As the people of Maine should be able to look to their District Attorney's office and victim's advocates to protect their interests and advocate for them, the people should also have a robust well-funded public defenders to protect their constitutional rights from the State itself. Having a public facing office at the courthouse will demonstrate that PDS are not merely court appointed lawyers – PDS is an institution dedicated to fighting for civil rights, fairness, due process, and justice on behalf of all Maine people.

Positive Outcome in the Parents' Division

Rebecca Horton negotiated a beneficial and uncommon contact schedule for one of her clients and her children. The client did not have stable housing and was struggling to meet her basic daily needs due to poverty and trauma. The Department was granted a preliminary protection order removing both children from the mother's custody, while the mother was still nursing her youngest child.

There were no allegations of abuse. Rebecca negotiated a contact plan such that the mother now has daily contact with her children, despite the Department only offering two and then three visits per week. The Department was not initially supportive of daily visits until the case went to hearing. Without Rebecca's unwavering efforts and insistence that these children needed their mother every day, it is likely the family would still have a restricted visit schedule.

Aroostook County Client Outcomes

Client 1: Client 1 was charged with an assault, which was reported to police by the alleged victim. There was another witness to the situation who gave a completely different account of what happened. The officer spoke to this witness on body camera prior to arrest but still chose to arrest Client 1. The witness had no reason to lie, the AV did. This was pointed out at dispositional conference and via email to the prosecutor, but the prosecutor handling the case was not at the conference and the prosecutor who covered had no notes. The case was set for Docket Call. At Docket Call, the Assistant Defender asked the prosecutor directly if they'd watched the body camera. They had not. Between Docket Call and jury selection the Assistant Defender again urged the prosecutor to watch the body camera. The day of jury selection Client 1 was offered a short deferred on a lesser, more appropriate charge. When the judge asked why this was coming together so late, the prosecutor said it was because defense had alerted them to new information. The body camera was in the discovery they provided to the Assistant Defender from the beginning. By the time this case was resolved, the Assistant Defender had fully prepared for trial, transcribed video, subpoenaed witnesses, requested special jury instructions, filed motions *in limine*, and met multiple times with Client 1 to prepare them to testify.

Client 2: Client 2 was charged with an assault involving numerous people and they were clearly not the primary aggressor. Much of the incident was on camera. Based on what was on camera, the alleged victim's version of events was an impossibility. Prior to dispositional conference, the Assistant Defender proposed a resolution in the case, but the DA had not yet reviewed the case and could not give an answer. At dispositional conference, the prosecutor handling the case was not there and the prosecutor covering had instructions not to negotiate the case. The Assistant Defender gave an overview of the case, and the judge proposed essentially the same deal that the Assistant Defender had originally asked for based on the summary of the case, but the prosecutor covering said they couldn't do it. The case was set for Docket Call. The day before Docket Call, Client 2 was given the offer originally asked for by their attorney. By this point, the Assistant Defender had done a significant amount of trial preparation, met with multiple witnesses, had her investigator interview nearly half a dozen witnesses located throughout Aroostook County, and filed most of her pre-trial documents and motions.

Client 3: Client 3 was charged with multiple felonies, all of which had serious proof issues. Attempts were made to negotiate and the offers from the State were unreasonable and involved felony convictions with significant jail time to serve. Because the case had suppression issues, the Assistant Defender was unable to file a speedy trial request. There were multiple hearings for this client where witnesses were called, contradictory evidence was presented, and lengthy memorandums were submitted. Client 3 was repeatedly told by the State that there would be no better offers, despite the mounting proof issues. Eventually, a speedy trial request was filed, and the case was set for Docket Call. The day before Docket Call, Client 3 was offered time served on misdemeanors. The prosecutor ultimately told the judge (so that the judge would accept the plea) that there were proof issues with the charges as brought. In addition to the motions and hearings already discussed, the investigator worked significantly on these cases, an intern was used to research multiple legal and evidentiary issues, and a significant amount of paralegal time was used to review discovery.

Tri-County Successes

Tri-County reports an excellent piece of lawyering by Ben Raker in a case out of Androscoggin that resulted in the suppression of all eyewitness identification evidence — including both *out-of-court* and *in-court* IDs — after a full evidentiary hearing.

Ben litigated a motion *in limine* to suppress eyewitness identification arising out of a nighttime police pursuit. The identification was based on officers later reviewing a single booking photograph (and then an arrest photograph) of the client. After briefing and hearing, Justice Archer granted the motion and excluded the identification testimony in its entirety.

Earlier this month, AD John Henderson resolved two significant felonies in one day. First, John handled

a Judicial Settlement Conference in a serious multi-count felony. The State's pre-conference offer was 5 years to serve. After a strong, law-driven memo and advocacy at conference, the client plead to a misdemeanor with no time to serve. At one point, Justice Mills expressly commended the quality of AD Henderson's memo. Later that afternoon, in an unrelated case, John litigated a probation violation and associated Class A charge. The court reviewed his written motion and, in chambers, stated to the prosecutor: "*I've read the motion. Attorney Henderson is right. He's going to win.*" The result: both the PV and the Class A felony were dismissed. The issue he won on was the "Good Samaritan" law.



MAINE COMMISSION ON PUBLIC DEFENSE SERVICES Z112
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	2025-26	2026-27
Initiative: Provides allocation to align with projected resources.		
FEDERAL EXPENDITURES FUND		
All Other		210,000
Total	0	210,000
Initiative: Establishes 4 Assistant Defender I positions and one Paralegal position to support the establishment of the Maine Commission on Public Defense Services parents counsel division and provides funding for office rent and related All Other costs.		
GENERAL FUND		
Positions - LEGISLATIVE COUNT		5,000
Personal Services		872,928
All Other		224,230
Total	0	1,097,158
Initiative: Establishes one District Defender position, one Assistant Defender I position, 4 Assistant Defender II positions, 2 Paralegal positions, one PDS Case Manager position, one Field Investigator position and one Office Associate I position to support the establishment of the Maine Commission on Public Defense Services Cumberland County Office and provides funding for office rent and related All Other costs.		
GENERAL FUND		
Positions - LEGISLATIVE COUNT		11,000
Personal Services		1,425,698
All Other		218,850
Total	0	1,644,548
Summary - GENERAL FUND	2025-26	2026-27
Positions - LEGISLATIVE COUNT		16,000
Personal Services		2,298,626
All Other		443,080
Total	0	2,741,706
Summary - FEDERAL EXPENDITURES FUND		
All Other		210,000
Total	0	210,000
Total Agency/Department		
All Funds		2,951,706
GENERAL FUND		2,741,706
FEDERAL EXPENDITURES FUND		210,000

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES Z112

		2025-26	2026-27
Initiative:	Provides one-time funding to pay for private attorneys and non-counsel vendors who provide indigent legal services. These are expenses anticipated in the 2026-2027 biennial above the baseline amount for these services.		
OTHER SPECIAL REVENUE FUNDS			
All Other		12,322,443	13,026,035
Total		12,322,443	13,026,035
		2025-26	2026-27
Summary - OTHER SPECIAL REVENUE FUNDS			
All Other		12,322,443	13,026,035
Total		12,322,443	13,026,035
Total Agency/Department			
All Funds		12,322,443	13,026,035
OTHER SPECIAL REVENUE FUNDS		12,322,443	13,026,035

OTHER SPECIAL REVENUE FUNDS	2025-2026	2026-2027
All Other	\$2,000,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,000,000	\$0

Emergency Housing Relief Fund Program Z340

Initiative: Provides one-time funding to supplement or establish programs addressing the needs of people experiencing homelessness or facing other immediate housing challenges and support other uses that address housing emergencies in the State. Housing costs continue to cause thousands of Maine people to become homeless every year, while putting thousands more at extreme risk. Shelters around the state are typically full while the costs rise along with the acuity of need for those they are serving. Funds will provide emergency, transitional and permanent housing responses to homelessness.

OTHER SPECIAL REVENUE FUNDS	2025-2026	2026-2027
All Other	\$12,000,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,000,000	\$0

Sec. T-18. Transfer from Budget Stabilization Fund; Maine Commission on Public Defense Services program. Notwithstanding any provision of law to the contrary, on or before June 30, 2026, the State Controller shall transfer \$12,322,443 and on or before June 30, 2027, the State Controller shall transfer \$13,026,035 from the Budget Stabilization Fund within the Department of Administrative and Financial Services to the Maine Commission on Public Defense Services, Maine Commission on Public Defense Services, Other Special Revenue Funds account for onetime needs for technology and compliance with new federal legislation, the One Big Beautiful Bill Act.

Sec. T-19. Appropriations and allocations. The following appropriations and allocations are made.

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

Maine Commission on Public Defense Services Z112

Initiative: Provides one-time funding to pay for private attorneys and non-counsel vendors who provide indigent legal services. These are expenses anticipated in the 2026-2027 biennial above the baseline amount for these services.

OTHER SPECIAL REVENUE FUNDS	2025-2026	2026-2027
All Other	\$12,322,443	\$13,026,035
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,322,443	\$13,026,035

Sec. T-20. Transfer from Budget Stabilization Fund unappropriated surplus; Housing Opportunity program. Notwithstanding any provision of law to the contrary, on or before June 30, 2026, the State Controller shall transfer \$500,000 and on or before June 30, 2027, the State Controller shall transfer \$500,000 from the Budget Stabilization Fund within the Department of Administrative and Financial Services to the Housing Opportunity program, Other Special Revenue Funds account for a pilot project to provide regionalized building code enforcement.

Sec. T-21. Appropriations and allocations. The following appropriations and allocations are made.

MAINE OFFICE OF COMMUNITY AFFAIRS

Housing Opportunity Program Z336

Initiative: Provides one-time funding for a three-year pilot project to provide regionalized building code enforcement. Well-trained Code Enforcement Officers are essential to timely, predictable permitting of housing and other development. Municipalities are struggling to staff these positions, in part because small communities typically employ CEOs part time on contract, which is an unattractive employment model and does not encourage regular professional education. Regionalization is a more stable model for employing CEOs and there is tremendous interest in establishing multiple pilot locations throughout the state that can form the basis for longer term self-supported regional programs.

OTHER SPECIAL REVENUE FUNDS	2025-2026	2026-2027
All Other	\$500,000	\$500,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500,000	\$500,000

PART T SUMMARY

This part authorizes the State Controller to transfer funding from the Budget Stabilization Fund to implement a program to provide a one-time Affordability Payment to eligible recipients; implement a program to provide one-time funding to Maine school districts for school bus safety measures including retrofitting buses with crossing arms and anti-pinch door sensors; provide one-

Maine Commission on Public Defense Services

Proposed Rule: Chapter 302, Procedures Regarding Funds for Experts & Investigators

Detailed Basis Statement:

Pursuant to statute,

The Maine Commission on Public Defense Services, established by [Title 5, section 12004-G, subsection 25-A](#), is an independent commission whose purpose is to provide high-quality, effective and efficient representation and promote due process for persons who receive indigent legal services in parity with the resources of the State and consistent with federal and state constitutional and statutory obligations. The commission shall work to ensure the delivery of indigent legal services by qualified and competent counsel in a manner that is fair and consistent throughout the State and to ensure adequate funding of a statewide system of indigent legal services, which must be provided and managed in a fiscally responsible manner, free from undue political interference and conflicts of interest. 4 M.R.S. § 1801.

The Commission is charged with, “Establish[ing] processes and procedures to acquire investigative and expert services that may be necessary for a case, including contracting for such services” 4 M.R.S. § 1804(3)(L).

The Commission is statutorily obligated to adopt rules regarding “Other standards considered necessary and appropriate to ensure the delivery of high-quality, effective and efficient indigent legal services.” 4 M.R.S. § 1804(2)(G).

This Chapter establishes a method for Counsel to seek funds for experts and investigators on assigned cases, consistent with the Commission’s mission and statutory obligations.

The 2026 amendments to this Chapter establish parameters for expert and investigator funds requests and expand upon the procedures for submitting invoices for expert and investigative services.

Chapter 302: PROCEDURES REGARDING FUNDS FOR EXPERTS AND INVESTIGATORS

Summary: This Chapter establishes the procedures for attorneys ~~and pro se parties~~ to request funds for experts and investigators from the Commission and provides that the Executive Director shall make the determination to grant or deny the request. It also establishes the procedures for payment of expert and investigator services authorized in this Chapter.

SECTION 1. DEFINITIONS

1. Executive Director. "Executive Director" means the Executive Director of the Maine Commission on Public Defense Services or the Executive Director's decision-making designee.
2. PDS or Commission. "PDS" or "Commission" means the Maine Commission on Public Defense Services.
3. Applicant. "Applicant" means the client on whose behalf an attorney submits an application for funds pursuant to this Chapter.
4. Attorney. "Attorney" means the lawyer for the Applicant.
5. Employed Counsel. "Employed Counsel" means an attorney employed by the commission to provide legal services directly to persons who are eligible to receive indigent legal services in civil proceedings.
6. "Public Defender" means an attorney employed by the commission to provide legal services directly to persons who are eligible to receive indigent legal services in criminal and juvenile proceedings.

SECTION 2. APPLICATION FOR FUNDS FOR EXPERT AND INVESTIGATIVE ASSISTANCE

1. ~~1. Who May apply.~~

~~A. Any person who is entitled to representation at state expense under the United States Constitution or the Constitution or laws of Maine and who has been found indigent by a state court or who claims to be without sufficient funds to employ necessary expert or investigative assistance may file, on their own or through their attorney, applications to PDS for funds to obtain~~

expert or investigative assistance or both has been appointed or assigned counsel at PDS expense, or who is represented by an Employed Counsel or Public Defender; and

B. Any person who is entitled to representation at state expense under the United States Constitution or the Constitution or laws of Maine who is represented by retained counsel and who is found indigent by PDS.

2. **Application ~~Directed~~directed to the Executive Director.** An application for funds to obtain necessary expert or investigative assistance or both shall be directed to the Executive Director.

3. **Form and ~~Contents~~contents of ~~Application~~application.** The application shall:

A. Be completed on a form designated by the Executive Director~~;~~;

B. Include the case caption ~~-and~~ the docket number;

C. Set forth the date on which the ~~applicant~~Applicant was found indigent or, if the ~~applicant~~Applicant has not been found indigent, set forth the basis on which the ~~applicant~~Applicant claims to be without sufficient funds. For persons ~~not found indigent by a court~~applying pursuant to Section 2(1)(B), the application shall be supported by an affidavit demonstrating ~~financial need~~indigency. Said affidavit shall be on the same form used to determine financial eligibility for appointment of counsel;

D. Describe the nature of the proceeding for which assistance is sought, and in proceedings with respect to adult or juvenile crimes, specifically identify the name and class or statutory cite of the most serious charge, or of the charge which is the basis for the request for funds~~;~~;

E. Set forth a clear and concise statement of the reasons why the assistance is necessary for adequate presentation of the ~~applicant~~Applicant's claim or defense; ~~and~~

F. Set forth a clear and concise statement as to the work that will be done by the expert and/or investigator~~;~~ and

F.G. Itemize the total amount of funds being requested, the vendor's rate, and any anticipated expenses that may be paid out of the funds.

4. Parameters for requests.

A. Requests for funds must be submitted before the expert or investigator begins work on the case.

B. The request for funds should encompass all anticipated funds that will be needed for the expert or investigator's work to be completed.

a. For interpreters and translators, attorneys should estimate the total cost for the services for the life of the case, as opposed to separate requests for each instance in which the interpreter or translator will perform work.

b. When it is probable that an expert or investigator will be needed for a court appearance, the request for funds should include the total anticipated costs needed to pay for the expert or investigator's services through disposition of the case.

4.

5. Electronic ~~f~~Filing ~~p~~Permitted. The application must be filed with PDS according to the procedure directed by the Executive Director. Any procedure developed by the Executive Director shall be designed to protect privileged information from disclosure, and to promote the efficient handling of funds requests by Commission staff.

A. *Repealed.*

B. *Repealed.*

C. *Repealed.*

SECTION 3. DETERMINATION BY THE EXECUTIVE DIRECTOR

The Executive Director shall review the application and the grounds therefore and, in the Executive Director's sole discretion, shall either grant the funds applied for, in whole or in part, or deny the application. When granting an application in whole or in part, the Executive Director may condition the expenditure of funds as set forth in PDS Rule Chapter 301 ~~, Fee Schedule and Administrative Procedures for Payment of Commission Assigned Counsel,~~ and other PDS procedures. The determination of the Executive Director shall be in writing and may be communicated to the ~~applicant~~Attorney by electronic means.

SECTION 44. ~~PAYMENT FOR EXPERT OR INVESTIGATIVE ASSISTANCE~~PROCEDURE AFTER APPLICATION GRANTED

1. After an application for funds is granted, the attorney must:

A. Ensure the expert or investigator has a State of Maine Vendor Code, or is aware of the process for applying for one;

B. Provide the expert or investigator a copy of the funds authorization;

- C. Inform the expert or investigator that PDS is only guaranteeing payment for services up to the amount authorized at the rate authorized; and
- D. Inform the expert or investigator that:
- a. Any travel expenses incurred must be within the applicable rates set by the Government Service Administration;
 - b. Mileage incurred in Maine is reimbursable up to the rate set by the State of Maine Office of State Controller;
 - c. PDS will not reimburse for travel insurance, cancellation protection, or the like; and
 - d. Absent extenuating circumstances, PDS will not reimburse for first class airfare or seat upgrades.
- E. Upon receipt of an invoice for services for which the expenditure of funds has previously been authorized, the ~~applicant or the applicant's~~ Attorney shall forward the invoice to PDS for processing and payment, together with the relevant authorization.
- F. -Attorneys shall comply with ~~all~~ny procedures established by the Executive Director. The ~~applicant or the applicant's~~ Attorney must state that the services were satisfactory and that all applicable reports and other information have been received. The ~~applicant or the applicant's~~ Attorney ~~should~~must review the invoice to verify that it conforms to PDS requirements and that the appropriate rates for services and mileage were billed. The ~~applicant or the applicant's~~ Attorney is not required by the Commission to advance funds to investigators or other service providers, subject to any professional conduct requirements. The ~~applicant~~ Attorney should ~~make every effort to~~ ensure that the ~~service provider~~expert or investigator includes a State of Maine Vendor Code number on each invoice.
- G. Failure of the Attorney to submit an invoice for expert or investigative services to PDS within 10 calendar days of receiving a complete and accurate invoice from the expert or investigator may result in non-payment of the attorney's vouchers until the attorney submits the invoice to PDS.

SECTION 5. Transition

Repealed.

STATUTORY AUTHORITY:

4 M.R.S. §§ 1804(2)(G), (3)(A) and (4)(D)

EFFECTIVE DATE:

August 21, 2011 – filing 2011-284

AMENDED:

August 1, 2021 – filing 2021-150

September 1, 2024 – filing 2024-207